

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ANDREW OTIKER,

Petitioner,

v.

JEFREY A. UTTECHT,

Respondent.

No. 3:20-CV-6151-RSL-DWC

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

The Court, having reviewed the Report and Recommendation of Magistrate Judge David W. Christel, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court **adopts** the Report and Recommendation.
- (2) Petitioner's federal habeas Petition is **dismissed without prejudice**.
- (3) A certificate of appealability is **denied** in this case.
- (4) The Clerk is directed to **close** this case and **send** copies of this Order to Petitioner, counsel for Respondent, and to the Hon. David W. Christel.

DATED this 25th day of October, 2021.



Robert S. Lasnik
United States District Judge